

- (f) Acidic anionic polymers (claims 71-83);
  - (g) Cetyl alcohol and stearic acid (claims 84-96);
  - (h) Sodium stearyl lactate and sodium isostearyl lactylate (claims 96-109);
  - (i) Polyethylene glycol ethers and cetearyl alcohol ethers (claims 110-122);
  - (j) Polyethylene glycol esters of stearic acid and glyceryl stearate (claims 123-137 and 151-158);
  - (k) Carbohydrate polymers, acidic wax and anionic emulsifier (claims 137-150 and 159-173).
- II. Various therapeutic agents (claims 1-173)
- III. Various skin conditions (claims 1-173).

Applicant hereby elects species (a), emulsifying systems with acidic wax such as beeswax and anionic emulsifiers, with traverse. This election of the species of (a), emulsifying systems with acidic wax such as beeswax and anionic emulsifiers, reads at least on claims 1-21.

As discussed during the telephone interview with the Examiner Sharareh on May 27, 2003, Applicant respectfully requests that claims 159-173 be considered in conjunction with elected species (a). The Office Action asserts that claims 159-173 are directed to an emulsifying system containing, among other things, carbohydrate polymers. Independent claim 159, however, does not recite an emulsifying system that includes a carbohydrate polymer. Independent claim 159 recites an emulsifying system comprising an acidic wax and an anionic emulsifier that is substantially hydrophilic and is soluble in water. Applicant respectfully submits and requests, therefore, that claims 159-173 should be considered in conjunction with elected species (a).

### **Conclusion**


Applicant hereby elects species (a), reading at least on claims 1-21, with traverse. For the foregoing reasons, Applicant also requests that claims 159-173 be considered in conjunction with elected species (a).

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1349. If a fee is required for an extension of time under 37 C.F.R. § 1.136 that is not accounted for in the enclosed transmittal, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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